

*These notes refer to the Adoption and Children Act 2002
(c.38) which received Royal Assent on 7th November 2002*

ADOPTION AND CHILDREN ACT 2002

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Amendments of the Children Act 1989

Section 122: Interests of children in proceedings

303. **Section 122** amends section 41 of the Children Act 1989, with the effect that applications for the making or revocation of a placement order under this Act become specified proceedings as defined in the Children Act 1989. As such a children's guardian will be appointed and the child separately represented in every case (unless the court decides this is unnecessary). It also provides that proceedings for section 8 orders can, in circumstances established by rules of court, also be specified proceedings. Finally section 122 amends section 93 of the Children Act 1989 (rules of court) to provide that the Lord Chancellor may make rules to provide for the separate representation of children.